

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION
No. 4:18-CV-80-D

PEARL C. DANIELS,

Plaintiff,

v.

CITY OF GREENVILLE,

Defendant.


ORDER

On August 29, 2018, defendant moved to dismiss plaintiff's amended complaint [D.E. 15] and filed a memorandum in support [D.E. 16]. See Fed. R. Civ. P. 12(b)(6). On September 19, 2018, plaintiff responded in opposition [D.E. 18, 19]. On October 2, 2018, defendant replied [D.E. 20].

The court has considered defendant's motion under the governing standard. See Fed. R. Civ. P. 12(b)(6); Ashcroft v. Iqbal, 556 U.S. 662, 677–78 (2009); Bell Atl. Corp. v. Twombly, 550 U.S. 544, 555–56, 563 (2007). Plaintiff's amended complaint ekes across the line of plausibility. Whether plaintiff will survive a motion for summary judgment is an issue for another day.

In sum, defendant's motion to dismiss [D.E. 15] is DENIED.

SO ORDERED. This 20 day of October 2018.


JAMES C. DEVER III
United States District Judge